

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 05-80898

WILBERT MILLER,

HONORABLE AVERN COHN

Defendant .

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ORDER

Defendant has filed a motion styled

Motion to Suppress Evidence and Obtain an Evidentiary
Hearing Pursuant to Franks v. Delaware and to Produce a
Confidential Informant

The government has responded.

The Court heard argument on the motion on July 13, 2006. The Court directed the government to produce the confidential informant whose activities were the predicate for the search warrant. The confidential informant is deceased. The Court interviewed in camera the police officers involved, including the police officer who signed the affidavit for the search warrant. The Court is satisfied that the confidential informant entered the searched home without

narcotics on his/her person and returned from the home with narcotics in his/her possession.

The motion is DENIED.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: September 14, 2006

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, September 14, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160